

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO: 05 11095 NG

THOMAS ROY and LISA ROY,	)
Plaintiffs,	)
	)
v.	)
	)
DELAWARE NORTH COMPANIES, INC.	)
- BOSTON,	)
Defendant.	)
	)

**DEFENDANT, DELAWARE NORTH COMPANIES, INC. – BOSTON’S MOTION FOR  
SUMMARY JUDGMENT AGAINST THE  
PLAINTIFFS, THOMAS ROY AND LISA ROY**

Pursuant to Fed. R. Civ. P. 56, the defendant moves for summary judgment as there is no genuine issue of material fact and that the defendant is entitled to judgment as a matter of law.

In support thereof, please see the defendant’s attached Brief.

The defendant,  
DELAWARE NORTH COMPANY, INC. –  
BOSTON,  
By its attorney,

/s/Roger R. Allcroft  
Lawrence F. Boyle, BBO# 052680  
Roger R. Allcroft, BBO# 663651  
**MORRISON MAHONEY LLP**  
250 Summer Street  
Boston, MA 02210  
(617) 439-7500

Dated: August 31, 2006

**CERTIFICATE OF SERVICE**

I, Roger R. Allcroft, hereby certify that on August 31, 2006, I served a true copy of the foregoing **DEFENDANT, DELAWARE NORTH COMPANIES, INC. – BOSTON’S MOTION FOR SUMMARY JUDGMENT AGAINST THE PLAINTIFFS, THOMAS ROY AND LISA ROY**, forwarding same via first class mail, postage prepaid, to:

Joseph G. Abromovitz, Esquire  
The Law Office of Joseph G. Abromovitz  
858 Washington Street, 3rd Floor  
Dedham, MA 02026

By: /s/Roger R. Allcroft  
Roger R. Allcroft, Esq.